

REMARKS

The present amendment is in response to the Office Action dated March 11, 2005, where the Examiner rejected claims 1-3, 7-33, 37 and 38. The claims 1-3, 7-33, 37 and 38 were rejected on 35 USC 102(b) grounds.

By the present amendment, the comments in the Claim Rejections in the Detailed Action are addressed.

A. Claim Rejections – 35 USC § 102

The Examiner has rejected claims 1-3, 7-33, 37 and 38 under 35 USC 102(b) as being anticipated by Karimine et al. in U.S. Patent 5,175,405 hereinafter referred to as “Karimine ‘405.” Although, the Applicant disagrees with the Examiner, the Applicant has amended the claims to expedite the prosecution of this patent application. Applicant reserves the right to further argue the merits of this case at a later time.

The Applicant has amended the independent claims 1 and 31, and has amended dependent claims 2, 7, 32 and 37. The Applicant has cancelled claims 4, 8-30, 34, and 38. Claims 3, 5-6, 33, and 35-36 have remained in their original form.

Both of the currently amended independent claims 1 and 31 have been amended to include the additional limitation of having a gland cavity occupied by a top gland shoe and a bottom gland shoe. Additionally, the currently amended dependent claims 2, 7, 32, and 37 have been amended to reflect limitations associated with the top gland shoe and bottom gland shoe occupying the gland cavity.

The Federal Circuit stated in W.L. Gore & Associates v. Garlock, Inc., “anticipation requires the disclosure in single prior art reference of each element of the

claim under consideration.” W.L. Gore & Associates v. Garlock, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984).

In the Examiner’s Action, the Examiner stated that the prior art fails to teach a gland cavity that is occupied by a top gland shoe and a bottom gland shoe. See Page 4 of the Office Action. The Applicant has amended the independent claims and dependent claims to include the limitation of a top gland shoe and bottom gland shoe occupying the gland cavity. Thus, Applicant respectfully submits that both the amended independent claims and dependent claims are in a condition for allowance because all the claims that are currently being prosecuted have been amended to include a limitation that is neither taught nor suggested in the prior art, as stated by the Examiner.

In spite of not presenting an argument for each dependent claim, the Applicant reserves the right to respond to these objections at a later time. The Applicant respectfully submits that Applicant’s rights are not prejudiced by failing to respond to the objections presented for each of the dependent claims identified above. Should the Examiner require a response to each of the dependent claims in view of the arguments propounded for each independent claim, Applicant respectfully requests such instruction.

B. Conclusion

For all the foregoing reasons, allowance of claims 1-3, 5-7, 31-33, and 35-37 pending in the present application is respectfully requested.

Respectfully Submitted;

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